



The Role of SEAC in Identifying the Unmet Needs of Students with Disabilities



OBJECTIVES

- Discuss the legal mandates and responsibilities of a local advisory committee (LAC)
 - commonly known as a local Special Education Advisory Committee (SEAC);
- Provide information and resources to assist with the effectiveness of local SEACs;
and
- Provide information about the State Special Education Advisory Committee (SSEAC).
- Discuss the top areas of noncompliance that the SEAC may want to address

SESSION #1



WHAT IS REQUIRED WITHIN THE

*Regulations Governing Special Education Programs for Children
with Disabilities in Virginia*

(the Virginia Regulations)

8 VAC 20-81-10 et. seq.

REGULATORY REQUIREMENT

- A local advisory committee for special education, **appointed by each local school board**, shall advise the school board **through the division superintendent**.

See. 8 VAC 20-81-230.D

- This is a Virginia specific mandate.
- Federal regulations speak only to a requirement for a State level advisory committee.

SEAC MEMBERSHIP

- A majority of the committee shall be parents of children with disabilities or individuals with disabilities.
- The committee shall include one teacher.
- Additional local school division personnel shall serve only as consultants to the committee.

See. 8 VAC 20-81-230.D.1.a-c.

SEAC FUNCTIONS

- Advise the local school division of needs in the education of children with disabilities;
- Participate in the development of priorities and strategies for meeting the identified needs of children with disabilities;
- Submit periodic reports and recommendations regarding the education of children with disabilities to the division superintendent for transmission to the local school board;
- Assist the local school division in interpreting plans to the community for meeting the special needs of children with disabilities for educational services;

SEAC FUNCTIONS (Continued)

- Review the policies and procedures for the provision of special education and related services prior to submission to the local school board; and
- Participate in the review of the local school division's annual plan.

See. 8 VAC 20-81-230.D.2.a-f.

ANNUAL PLAN

- The local educational agency shall prepare annually and submit to the Virginia Department of Education an application for funding under Part B of the Act in accordance with the requirements outlined by the Virginia Department of Education. The annual plan shall include:
 - ✓ Assurances that the local educational agency has in effect policies and procedures for the provision of special education and related services in compliance with the requirements of the Act, the policies and procedures established by the Virginia Board of Education, and any other relevant federal and state laws and regulations;
 - ✓ A report indicating the extent to which the annual plan for the preceding period has been implemented;
 - ✓ Budgets outlining the use of the federal funds; and
 - ✓ Any revisions to the local school division's interagency agreement regarding the provision of special education and related services in a regional or local jail, if applicable.

ANNUAL PLAN (Continued)

- Prior to submission to the Virginia Department of Education, the annual plan **shall be reviewed by the local school division's local advisory committee** and approved by the local school board. State-operated programs and the Virginia School for the Deaf and the Blind at Staunton shall submit their annual plan to the state special education advisory committee for review prior to submission to the Virginia Department of Education.

See. 8 VAC 20-81-230.B.2

PUBLIC NOTICE

- Public notice shall be published annually listing the names of committee members and including a description of ways in which interested parties may express their views to the committee.

See. 8 VAC 20-81-230.C.3.

MEETING FREQUENCY

- SEAC meetings shall be held at least four times in a school year and shall be open to the public.

See. 8 VAC 20-81-230.C.4

QUESTION AND ANSWER TIME



WHAT IS CONSIDERED TO BE

BEST PRACTICE

**AND SHOULD BE ADDRESSED IN LOCAL POLICY AND
PROCEDURED OR THE LOCAL ADVISORY COMMITTEE
BY-LAWS?**

MEMBERSHIP

- Membership should reflect the diversity and organization of the school division.
- No prescribed number of members – quality over quantity.
- Additional teacher serving as parent on committee not prohibited by regulations.

BY LAWS

- Not required by regulation.
- Outlines the organization and procedures of the SEAC.
- Can be done specifically for the SEAC and its functions.
- LEA may have general by laws or policies for all of its advisory committees.

MEETING TIME

- Should be solely for the purpose of conducting SEAC business.
- Training of SEAC should be separate event.
- Have an agenda and stick to it – especially time.
- In large division – consider alternating location.
- Encourage parental attendance.
- Parental training should not take up meeting time.

IDEAS FOR IDENTIFYING UNMET NEEDS

- Review the latest annual report to the school board
- Review current policies and procedures
- Review public comment from previous year SEAC meetings
- Focus Groups
- Surveys
- Review Indicator 8 data
- Planning Meetings
- Communicating with Special Education Director
- Attend School Board meetings
- Data from Parent Resource Centers

IDEAS FOR IDENTIFYING UNMET NEEDS (CONTINUED)

- Attend the quarterly SSEAC meetings
- Public Comments

IDEAS FOR POSTING THE ANNUAL NOTICE OF MEMBERS AND HOW CITIZENS CAN COMMUNICATE WITH THEM

- Student Handbook
- School division web-site
- Cable TV Channel
- Provide at Annual IEP Meeting
- Attach to Procedural Safeguards
- Create a brochure

IDEAS FOR CONDUCTING PUBLIC COMMENT

- Develop and publish a public comment protocol
- Have a sign-up sheet to guide timeline and provide a record of who is making comment
- Limit total time devoted to public comment – but be flexible
- Limit time for each public comment – ensure that you have communicated your public comment protocol
- Provide a variety of methods for providing public comment
 - ✓ In person – may want to request that they provide written comments in case they cannot finish in allotted time
 - ✓ In writing – if this is used, how long can it be – can it be read in the time allotted
 - ✓ By video – ensure that the video length does not exceed allotted time
 - ✓ Presented by another party
- Listen intently to public comment
- Record summary of comments
- Be responsive and provide timely feedback

MAINTAIN A COLLABORATIVE ATMOSPHERE

- Remember your role is that of an advisory nature – you cannot individual or collectively direct or demand change.
- Stay focused on making systemic change.
- Avoid the “us” against “them” mentality.
- Establish and maintain effective communication.
- The SEAC is not a place for addressing personal agendas.

QUESTION AND ANSWER TIME



SESSION #2



WHAT IS REQUIRED UNDER FOIA

Virginia FOI Advisory Council

www.foiacouncil.dls.virginia.gov

FREEDOM OF INFORMATION ACT (FOIA) REQUIREMENTS

- Virginia Freedom of Information Act (VFOIA) §§ 2.2-3700 through 2.2-3714 of the Code of Virginia (COV)
- Policy (as set forth in § 2.2-3700):
 - ✓ All public records and meetings shall be **presumed open**, unless an exemption is properly invoked.
 - ✓ Unless a public body or its officers or employees specifically elect to exercise an exemption provided by this chapter or any other statute, **every meeting** shall be **open to the public** and all public records shall be **available for inspection and copying** upon request.

FREEDOM OF INFORMATION ACT (FOIA) REQUIREMENTS (Continued)

- What is a meeting under FOIA?
 - ✓ Gathering of members as a body or entity or as an informal assemblage of:
 - ☐ as many as three members; or
 - ☐ a quorum, if less than three, of the membership.
 - ✓ When business of the public body is being discussed or transacted.
 - ✓ Includes when the body or entity is in a work session.

FREEDOM OF INFORMATION ACT (FOIA) REQUIREMENTS (Continued)

- What is NOT a meeting under FOIA?
 - ✓ Gathering of employees of a public body;
 - ✓ Gathering or attendance of two or more members of a public body where there is no discussion or transaction of public business (and not called for that purpose); and
 - ✓ Gathering or attendance of two or more members of a public body at a public forum.

FREEDOM OF INFORMATION ACT (FOIA) REQUIREMENTS (Continued)

- What does FOIA require if it is a public meeting?
 - ✓ Notice of the meeting;
 - ✓ Meeting must be open to the public; and
 - ✓ Minutes of the meeting must be taken and preserved.

FREEDOM OF INFORMATION ACT (FOIA) REQUIREMENTS (Continued)

- What is sufficient notice?
 - ✓ Date, time, and location of the meeting is required.
 - ✓ Helpful (but not required) to include agenda to inform the public generally of what topics will be discussed.
 - ✓ Notice should include an indication whether public comment will be received and approximately when within the agenda it will occur.

FREEDOM OF INFORMATION ACT (FOIA) REQUIREMENTS (Continued)

- Where to post the notice?

- ✓ FOIA requires that all public bodies post notices in **two physical locations**:

- ☐ In a prominent public location at which notices are regularly posted; and

- ☐ In the office of the clerk of the public body, or in the case of a public body that has no clerk, in the office of the chief administrator.

- ✓ A public body must also post notice on its official public government website, if any.

FREEDOM OF INFORMATION ACT (FOIA) REQUIREMENTS (Continued)

- When to post the notice?
 - ✓ For regular meetings:
 - ☐ at least three working days prior to the meeting.
 - ✓ For special or emergency meetings:
 - ☐ FOIA defines emergency as “an unforeseen circumstance rendering the notice required by FOIA impossible or impracticable and which circumstance requires immediate action.”
 - ☐ Notice must be reasonable under the circumstances and given at the same time as it is provided to members

FREEDOM OF INFORMATION ACT (FOIA) REQUIREMENTS (Continued)

- Agenda materials available to the public/media?
 - ✓ At least one copy of the proposed agenda and all agenda packets and, unless exempt, all materials furnished to members of a public body for a meeting must be made available for public inspection at the same time they are furnished to the members.

FREEDOM OF INFORMATION ACT (FOIA) REQUIREMENTS (Continued)

- Are minutes required?
 - ✓ Only at open meetings.
 - ✓ Not required to be taken during closed meetings.

FREEDOM OF INFORMATION ACT (FOIA) REQUIREMENTS (Continued)

- What must be included in minutes?
 - ✓ Minutes must include:
 - ☐ the date, time, and location of the meeting;
 - ☐ members present and absent;
 - ☐ summary of matters discussed; and
 - ☐ record of any votes taken.
 - ✓ Motions to enter into a closed meeting and certification after a closed meeting.
 - ✓ Minutes and all other records of open meetings (including audio/video recordings) are public records and must be released upon request.

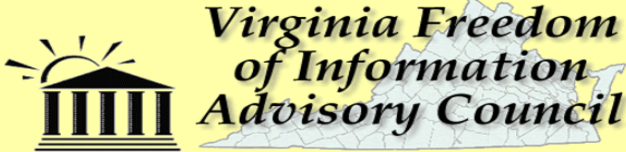
ADDITIONAL FOIA RESOURCE

Virginia FOI Advisory Council – www.foiacouncil.dls.virginia.gov

Code of Virginia Code - x Virginia Freedom of Information Act - x FOIA AND LOCAL GOVERNMENT - x

foiacouncil.dls.virginia.gov/foiacouncil.htm

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Virginia Freedom of Information Advisory Council

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HJR No. 96 (2014) FOIA Study	Litigation Policy
Policy on Individual Participation in Meetings by Electronic Means	Other Resources
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QUESTION AND ANSWER TIME



TOP AREAS OF CONCERN IN SPECIAL EDUCATION

- Commonwealth wide issues – not specific to Loudoun County
- Source of this information
 - ODRAS complaints, mediation, and due process cases
 - Indicator 8 survey results
 - Phone and email communications with parents and advocates
 - PEATC identified areas of concern
 - Constituency reports from SSEAC members
- Independent Educational Evaluations (IEE)
- Transition Planning
- Transfer IEP Services
- Eligibility Procedures
- Behavior Interventions and Discipline

SSEAC Recommendations

- Continue efforts to address the teacher, staff, and other professional support shortages, by exploring available funding resources and partnerships.
- Create additional, more advanced modules for dyslexia, dysgraphia, and other specific learning disabilities; consider more in-depth annual training.
- Finalize the Regulations Governing the Use of Seclusion and Restraint in Public Elementary and Secondary Schools in Virginia and ensure adequate training for school divisions and families, on the content, once the regulations are adopted.

SSEAC Recommendations (Continued)

- Update best practice guidance documents and provide training for local SEACs. Share existing resources and involve the State SEAC in collaboration with VDOE for training and follow-up.
- Revise the current Parent's Guide to Special Education and develop various versions including video and multi-modal formats.
- As a follow-up to the Critical Decision Points guide and training, enhance opportunities for family engagement by developing an online module/companion video for parents to learn more about their rights.

The Focus
MUST Always
be the Child!



INFORMATION ABOUT THE SSEAC

SSEAC General Information

http://www.doe.virginia.gov/boe/committees_advisory/special_ed/

SSEAC Membership

http://www.doe.virginia.gov/boe/committees_advisory/special_ed/committee_members.pdf

SSEAC Meeting and Agenda

http://www.doe.virginia.gov/boe/committees_advisory/special_ed/meetings/index.shtml

SSEAC General Purpose Email

SSEAC@doe.virginia.gov

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